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PERSONNEL
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PAY AND ALLOWANCES FOR MISSING PERSONS

25X1A Rescission: [redacted] dated 15 May 1951

SYNOPSIS: This regulation prescribes Agency policy, responsibilities, and procedures for implementing the provisions of the Missing Persons Act of 1942 (P.L. 490, 77th Congress), as amended.

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1. GENERAL

a. The Missing Persons Act, as amended, provides that persons (hereinafter referred to as "missing persons") reported as missing, missing in action, interned in a foreign country, or captured by a hostile force while on active duty outside the United States may be officially placed in a missing status. The term missing persons, as defined in the Act to include civilian officers and employees, exclusive of part-time or intermittent employees or native labor casually hired on an hourly or per diem basis.

b. The procedural requirements contained in paragraphs 5a and b of this regulation apply, in addition to officers and employees, to all Agency personnel, except noncitizens who are not provided a similar type benefit in their contracts.

2. POLICY

Prompt action will be taken within the Agency to report each case of a missing person and to authorize the establishment, continuance, suspension, resumption, or termination of allowances and allotments of the individual as appropriate. Prompt action will also be taken in the case of United States citizen contractors, even though the benefits of the Act are not included in their contracts, in order to effect orderly handling and proper disposition within the terms of their contracts and consistent with security and cover requirements.

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3. AUTHORITIES AND RESPONSIBILITIES

a. DIRECTOR OF PERSONNEL

The authorities vested in the Director of Central Intelligence by the Missing Persons Act, as amended, such as directing the continuance or termination of pay, allowances, and allotments of an individual and making determinations of death, are delegated to the Director of Personnel. He has general responsibility for ensuring that Agency personnel affected by the Act are accorded the benefits which it provides, and for ensuring compliance with this regulation. In carrying out these responsibilities, he will coordinate each case with all appropriate Agency officials, for instance the Chief, Counter Intelligence Staff; Chief, Central Cover Branch; and the Director of Security.

b. OPERATING OFFICIALS

The Operating Official having jurisdiction over a missing person, or over the area to which the person is assigned, will ensure that all available details of the circumstances affecting the individual's status are promptly reported to the Director of Personnel. Any information subsequently obtained which affects the individual's status will also be reported.

4. BENEFITS

a. Any individual covered by the Act and established as being in a missing-person status in accordance with the provisions of this regulation will have credited to his account the same pay and allowances to which he would be entitled were he in an active duty status, provided that the Director of Personnel determines he is not absent from duty without authorization. The pay, allowances, and allotments of an individual will be continued for the duration of the individual's missing status and his rights thereto will be unaffected by the expiration of his agreed term of service.

b. During the period an individual is in a missing status, his dependents and insurers are entitled to such allotments as were currently authorized by the individual immediately prior to his absence, or as the Director of Personnel may direct pursuant to the Act.

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c. Upon application by a dependent and as approved by the Director of Personnel, the expense of transporting the missing individual's dependents, household goods, and personal effects to his official residence of record, or to another location, will be borne by the Agency.

5. PROCEDURES

a. When information is received at headquarters that an employee or contractor is missing, the Operating Official concerned will ascertain and, in a manner consistent with operational security and cover considerations, report in writing to the Director of Personnel all available information relative to the nature and circumstances of the case. Subsequent reports will be made, as required, regarding any information which affects or may affect the individual's status or cover. Reports to the Director of Personnel will include, in a manner consistent with operational security and cover considerations, such details as the individual's grade, organizational unit, pay status, time and place of disappearance, cause or contributing circumstances, time and place the individual was last seen or contacted, statements of witnesses, extent of search, names of persons notified and dates of notification, and any other pertinent information available.

b. Upon receipt of notice that an Agency employee or contractor is missing, the Director of Personnel will immediately notify all appropriate officials, for instance the Chief, Central Cover Branch; Chief, Counter Intelligence Staff; and the Director of Security, and will subsequently convene a conference of such officials as may be necessary for the purpose of advising him in his determinations and coordination of the collateral matters attendant upon such a case.

c. Following an evaluation of the reported evidence and such additional investigation as is required, the Director of Personnel will prepare a memorandum to the Comptroller, containing a determination of the individual's status and, when applicable, authorizing the continuance of the individual's pay, allowances, and allotments for an initial period not to exceed 12 months. In the absence of an allotment authorized by the individual, or whenever an individual allotment is insufficient, such new allotments or increases as circumstances are deemed to warrant, not to exceed the pay and allowances to which the missing person is entitled, may be directed by the Director of Personnel.

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d. The Director of Personnel may make a finding of death at any time upon receipt of information to that effect. Such a finding will be made subsequent to a conference of all appropriate officials, wherein it is determined that evidence exists for such action. He will designate in a memorandum to the Comptroller the date on which death occurred, or is presumed to have occurred. The Comptroller will then terminate the crediting of pay and allowances, or payment of allotments authorized by the individual, and settle the accounts. The Director of Personnel may also direct by memorandum at any time the termination of the missing status by reason of the individual's return to the jurisdiction of the Agency.

e. Immediately upon determination that Agency personnel are missing or dead, action will be taken by the Operating Official concerned to account for Government property charged to the custody of missing or deceased persons. (See [redacted])

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f. The Director of Personnel will review each case prior to the expiration of the initial 12-month period and whenever warranted by information received or other circumstances. He will make a finding of death, as outlined in paragraph "d" above, or direct the continuance of the individual's status beyond the expiration of the first 12-month period if the person may reasonable be presumed to be living.

g. Until the case is finally concluded, all communications outside the Agency, including contacts with the emergency addressee, dependents, and insurance companies, will be handled either by the Director of Personnel or by other Agency officials with the approval of the Director of Personnel. All correspondence to be transmitted outside the Agency or contacts with persons outside the Agency will be coordinated with the Director of Security and other appropriate Agency officials, for instance the Chief, Counter Intelligence Staff and the Chief, Central Cover Branch. Correspondence notifying an emergency addressee or next of kin of an individual's missing status or death will be prepared for the signature of the Director of Central Intelligence in a manner consistent with cover and security considerations.

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b. Copies of all memorandums authorizing the establishment, continuance, suspension, or termination of the individual's pay, allowances, and allotments will be distributed to the Comptroller and the Deputy Director concerned.

SIGNED

C. P. CABELL
Lieutenant General, USAF
Acting Director of Central Intelligence

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